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**Minutes**  
**WASHINGTON CITY PLANNING COMMISSION**  
**November 20, 2013**

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Present: Commissioner Schofield, Commissioner Smith, Commissioner Shepherd, Commissioner Williams, Commissioner Papa, Commissioner Martinsen, Councilman Hudson, Attorney Jeff Starkey, Drew Ellerman, Lester Dalton, Kathy Spring, Dan Prentice, Gary Davis, Elsie Davis, Donna Larkin, Eldon Larkin, Carolyn Stuercke, Dolores Carter, Robert Stevens, Peggy Stevens, Mark Stevens, Kyle Pasley, David Mayfield, Tyson Williams, Scott Duffin, Jason Velez, Joshua Englebright, Ian Barlow, Jacob Sorensen, Karsten Jennings, Gabe Barlow, Brensen Dalley, Collin Englebright, Tenya Hilsmann, Jeff Mathis, Caleb Hilsmann, Ben Willits.

Meeting Called to Order: 5:33

Invocation: Commissioner Smith

Pledge of Allegiance: Commissioner Williams

**1. APPROVAL OF AGENDA**

A. Approval of the agenda for November 20, 2013.

Commissioner Smith motioned to approve the agenda for November 20, 2013.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

**2. APPROVAL OF MINUTES**

A. Approval of the minutes from November 6, 2013.

Commissioner Shepherd motioned to approve the minutes from November 6, 2013.

Commissioner Williams seconded the motion.

Motion passed unanimously.

**3. DECLARATION OF ABSTENTIONS & CONFLICTS**

Commissioner Smith declared a conflict with item 7-A because he works for Rosenberg but has nothing to do with this project at work there for he will be voting.

**4. PRESENTATION BY STEVE WHITTEKIEND FROM IT**

A. IPAD training for the Planning Commissioners

Steve Whittekiend from the IT Department gave a demonstration to the Commissioners on how to use the IPAD

Commissioner Schofield welcomed Troop 1783. Collin Englebright scout from the troop introduced himself and stated they are working on a badge.

5. APPROVAL FOR THE 2014 PLANNING COMMISSION MEETING SCHEDULE

Commissioner Smith motioned to approve the Planning Commission meeting schedule for 2014.

Commissioner Williams seconded the motion.

Motion passed unanimously.

6. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council for a Zone Change Z-13-14 to change from R-1-6 (Single Family minimum 6,000 sq ft lots) to R-2 (One to Two Family Residential), located at 456 North Main Street. Applicant is Don and Barbara Johnson

**Background**

Drew Ellerman stated the applicant is requesting approval to change the zoning of approximately .44 acres, located at 456 North Main Street. The requested change is from the current zoning of Single-Family Residential - 6,000 Square Foot Min. (R-1-6), to a proposed One and Two-Family Residential (R-2) zoning designation.

The R-2 zoning district allows for either one (1), two family dwelling unit, or, two (2) single family dwelling units on a single lot. The applicant is proposing a single dwelling unit for two family residences (main level home, with a basement dwelling unit below).

The General Plan Land Use Map designation for this location is Medium High Density Residential (MHD) which allows for density ratios of 7 to 12 dwelling units per acre. This proposed zone change ratio would be 4.55 d.u. / ac., well below the general plan densities. The surrounding zoning districts are R-1-6 to the north, west, east and south. Staff has reviewed the proposal, it does fall within the General Plan Land Use plan at this particular location.

**Recommendation** Staff recommends that the Planning Commission recommend approval of Z-13-14, for the zone change request from Single-Family Residential - 6,000 Square Foot Min. (R-1-6) to the One and Two-Family Residential (R-2) zoning designation, to the City Council, based on the following findings:

**Findings**

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. That the utilities that will be necessary for this type of development will be readily accessible to the site.

Commissioner Williams asked about the lot below this project was it a rental until that was denied.

Mr. Ellerman stated he didn't apply he just asked, however the zoning wasn't in affect for him to do what he wanted. He could apply for the R-2 zone.

Commissioner Schofield asked if that individual would have to do a zone change.

Mr. Ellerman stated he would.

Commissioner Schofield asked what the staff's recommendation was on 200 and 300.

Mr. Ellerman stated he would have to look at the lot size and consider on a case by case.

Commissioner Schofield asked what the status is on the Lane Matthew project.

Mr. Ellerman stated he hasn't heard from him, he has only applied for the zone change.

Commissioner Schofield asked if there were any calls or contacts on this.

Mr. Ellerman stated no.

Commissioner Shepherd asked if the other lot has had any feed back on it?

Mr. Ellerman stated no. There was a lady that wanted to know what she could do but haven't heard back from her. There are some that are already doing this without approval.

Commissioner Williams asked about the fence line and if that is a part of the property line and if there is an access on the north side.

Jack Burningham stated it is part of the property. The two-car garage is already there but they would have to install the concrete pad for parking.

Commissioner Schofield opened the public hearing

No response.

Commissioner Smith motioned to close the public hearing.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

Commissioner Shepherd stated she doesn't have a problem with this but would recommend that each request would be addressed on a case-by-case basis.

**Commissioner Smith motioned to recommend approval to City Council for Z-13-14 with the findings of staff.**

**Commissioner Shepherd seconded the motion.**

**Motion passed unanimously.**

7. **MINOR SUBDIVISION**

- A. Public Hearing for consideration and recommendation to City Council for the Dixie Montessori Academy Minor Subdivision located at approximately 600 West 800 North, applicant is The Boyer Company, Mike Glauser.

**Background**

Drew Ellerman stated the applicant is requesting approval for the Dixie Montessori Academy Minor Subdivision, located at approximately 600 West 800 North. The applicant is wishing to split the present 30.261 acre parcel into two lots. Lot One (1) of the subdivision will be 10.326 acres and Lot Two (2) will be 19.935 acres in size. The applicant will then build a charter school named the Dixie Montessori Academy on Lot One (1), which is the northern parcel. The other parcel (Lot 2) will stay with the current owner and remain vacant until a future date.

The proposed minor subdivision is currently zoned Open Space (OS), with General Plan Land Use designations of Low Density Residential on the north end and Medium Density Residential on the southern end (the Mill Creek area running through the middle of the parcel, from east to west, is designated as Open Space).

The Dixie Montessori Academy will be purchasing the north lot, as stated above to build the charter school. This is what is driving this minor subdivision split. The south lot will hopefully be tied to future development within the SITLA owned property that it shares a westerly border with. This is important due to the lack of accessibility to the lot itself.

Staff has reviewed the requested proposal, and the proposed Dixie Montessori Academy Minor Subdivision, conforms to the intent of the General Plan and meets the standards as set forth in the subdivision ordinance of the city.

**Recommendation**

Staff recommends that the Planning Commission recommend approval of the Dixie Montessori Academy Minor Subdivision to the City Council, based on the following findings and subject to the following conditions:

**Findings**

1. The minor subdivision conforms to the land use designation as outlined in the General Plan for the proposed area.
2. That the minor subdivision conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

**Conditions**

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor

licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.

4. That a post maintenance agreement be recorded prior to the recording of the final plat.

Mr. Ellerman stated this would be for K-7th grade with kindergarten being separated from the other area.

Brent Pace stated the Boyer Company is not the owner at this time but will be buying the property for the school. When it is recorded the owner will sign off on that. He asked for clarification of condition #1.

Mr. Ellerman stated there wouldn't be a lot of bonding which is condition #1. The condition is a standard request on a Minor Subdivision request.

Mr. Pace stated Dixie Montessori applied for a charter school application with the State and was approved for 410 students. The revenue is a separate process as far as taxes for the surrounding area.

Commissioner Schofield asked if the 410 was the maximum and how long do they estimate it will take to be filled?

Tracy Mitchell stated he is with Dixie Montessori Academy they would like to fill it 100% the first year.

Commissioner Schofield asked is there any other such facility in Washington County

Mr. Mitchell stated yes one private in St George and Barefoot is a preschool age 3 to kindergarten.

Commissioner Schofield asked if this is the first academy.

Mr. Mitchell answered yes.

Commissioner Shepherd asked how many employees they would employ.

Mr. Mitchell stated 15 employees with 17 classrooms

Commissioner Schofield asked about the school on 3000 Crimson Elementary.

Mr. Mitchell stated he didn't know.

Commissioner Schofield asked Mr. Mitchell about the staging lane.

Mr. Mitchell stated it would be for drop off and will be 4-5 people staffed to give direction so traffic flows.

Commissioner Schofield asked if the people have to help fund it.

Mr. Pace stated no. Charter schools helps with over loaded pubic schools. There are special chartered schools for autism and other special needs. He stated that in some of the charter schools it is easier to fill the lower grade levels. He stated the 375 would be the likely enrollment for the first year.

Commissioner Schofield asked why this site.

Mr. Pace stated it was marketing and the area full filled the needs for what they were looking for.

Mr. Mitchell stated they looked at many sites and this one gave the 5 to 7 acres with the demographics and the look of the area. Also there are no schools in the area.

Commissioner Schofield asked about the elevations that were shown, is that what they will build?

Mr. Mitchell stated it is. Montessori's are designed for to have a home feeling with hands on learning experience.

Commissioner Schofield asked if they would consider busing.

Mr. Mitchell stated not at this time.

Mr. Pace stated as they get applicants so they can see where the students are coming from. It is hard to know where they are coming from until they can plot it out.

Commissioner Williams stated his concern is the road going into it, Washington Academy and has busing and this is off of Quail Ridge. With 410 students it would be a traffic concern. He feels there is a need for a school in this area but traffic is a concern to him.

Commissioner Schofield claries that it is Fairway not Quail Ridge and Fairway goes directly to the school. He stated he drove it today and Fairway would be the best way to go.

Mr. Pace stated the extra lanes are to eliminate the back up onto Fairway.

Commissioner Williams asked what the square footage is on each floor.

Jeff Mathis stated the total is 35,000 square feet the first is 22,000 square feet and the second is 13,000 square feet.

Commissioner Shepherd stated she is a supporter of Charter schools but has concerns with the traffic for this area. She would prefer to have students bused in, but Charter schools don't have buses. If each care carries 3 students to school that makes 147 trips every morning and afternoon. If you figure about 30 employees that is over 300 trips a day through Green Springs.

She has personal experience with traffic at a Charter school, and she would not want that kind of traffic deep inside this neighborhood. She likes the idea of kids being able to walk because at George Washington kids aren't allowed to walk to and from school.

Mr. Mathis stated he has experienced the traffic at Washington Academy. Pick up is worst than drop off so their plan is to have a stack up that would handle 75 cars. The stacking could handle about 160 total cars at one time. From Fairway to Green Springs there isn't a driveway off of the street the street is more like a commercial size road and the road could handle the traffic.

Lester Dalton stated Fairway Drive was the developer's choice and was intended to be a residential collector road. The roadway serves more as an arterial road. There are some homes that will front that road. There will have to be a traffic study done before they can build. His concern isn't the traffic on Fairway but the parking and the flow. The road that stubs off of Fairway could handle 1,250 cars a day. Schools operate on peak hour trips showing up at the same time.

Commissioner Schofield asked if the study would be for Green Spring and Fairway.

Mr. Dalton stated he is not sure he felt it wouldn't exceed a category 1.

Commissioner Schofield asked about a traffic signal.

Mr. Dalton stated they have to have the traffic count first before they put in a traffic light because it would violate Federal Highway laws. Mr. Dalton explained where the Washington Parkway would go there could be numerous signals along Green Springs. There will never be a stop sign on Green Springs.

Commissioner Shepherd asked if there would be any other way to get to this site.

Mr. Dalton stated there would be access to the north. He stated 1660 is a straight shot to Fairway Drive.

Mr. Pace stated their application is for the lot split. He stated they don't have their plans all together yet.

Commissioner Schofield opened the public hearing.

Gary Davis stated he has a handout for the commissioners. His concern is the safety of the student. He lives on 665 Fairway Drive. He stated his one concern is fire safety and how would they handle evacuations. Traffic is also an issue with roughly 200 cars both morning and afternoon with a total of 400 a day. He stated that people won't want to wait 50 minutes and will just drop the kids off and that will cause the kids to be in danger of traffic. Then 1660 North will become crowded. He is concerned with the impact of noise and air pollution as well as the property values will drop by about \$50,000 a lot because of the school and the impact of the traffic. He stated due to his wife's health issues the air pollution will force them to move and will

cost them the \$50,000 less in property value. He stated their website shows 3 other options so why can't they chose one of the other sites.

Eldon Larkin stated he lives at 1460 North Circle and he rides his bike every day. He supports charter schools and has noticed there are no schools in their area. His concern is the blind corner and the people that are walking and riding their bikes. There isn't a street light so early in the morning and could be a safety problem.

Jason Velez stated he has heard 410 students but is that the maximum? George Washington has 480 students. Their application was for 410. Another thing is before this comes to Planning Commission he would like to have the traffic study already done. On their application it was for 6.3 to 10 acres. Tonight they are saying the site is 4 to 7 acres. How would they get a fire vehicle in there? He is concerned with transparency. Quail Ridge is a residential road and adding more traffic is a safety concern. He would suggest the staging area so they students could be bused in. Peak hours for school are the same peak hours for golfing. He lives in the area and his kids would walk to the school and the safety is concerning.

Peggy Stevens stated in the mornings the pollution is awful and this will affect the air pollution.

Carolyn Stuercke stated she likes charter schools but why put one on a peninsula. She stated she is concern with the environment. This is an Anasazi Indian site, which is good for the school. She stated her children have had accidents on the cliffs so they are dangerous. The architectural design looks like a large house turning into a castle. She is also concerned with the traffic. She has lived there for 18 years and has experienced the increase of traffic already. She is also concerned with the lighting.

Larry Davis stated the 300-foot noticing doesn't cover all that would be impacted with this. He stated the rumor about the drug house was from a backhoe driver.

Commissioner Schofield asked if the site was 20 acres would Mr. Davis still be here if it was a school.

Mr. Davis stated yes it isn't about the acreage.

Dan Prentus stated there is a Vegas stop sign at the corner of Fairway Drive. The contractors and builders agreed they would build only one-story buildings.

Commissioner Papa motioned to close the public hearing.

Commissioner Williams seconded the motion.

Motion passed unanimously.

Mr. Pace stated he appreciates the input and comments. Utah State of Education has a website that shows all charter schools. As far as the number of students for our school there will be 410 and no more without further approval. This site is not adequate for more students.

Traffic is a valid concern and they would like to do a traffic study to see what it would be but the only purpose for them tonight is to split the property into 2 lots.

Commissioner Schofield stated one thing that concerns him is the process of how things are done and what needs to be done prior to something being brought to the Commissioners. He stated he appreciates any information the applicant has given tonight.

Mr. Pace stated they looked at a 30-acre parcel but they could not afford it.

Commissioner Schofield stated with being on the plateau and the protection of the ridge is a concern. He asked if there would be a fence around the property.

Mr. Mathis stated there will be fencing around the school and the students would always be in and fenced area.

Commissioner Schofield asked about a school zone.

Mr. Dalton stated there is going to have a transportation plan to determine the school zone area.

Commissioner Schofield asked Mr. Starkey if they could limit the number of student.

Mr. Starkey stated the State Legislation allows for modifying anything that would be an objective safety concern.

Commissioner Schofield asked about the other three sites on the website.

Mr. Pace stated the school has looked at a variety of sites. This site was probably based on the need and Green Springs was a good market by staying away from another public school or another charter school.

Commissioner Smith asked Mr. Ellerman if there is a site plan after this.

Mr. Ellerman stated he didn't need to show what he did tonight on a minor subdivision. He wanted to give the public a chance to see what is coming. As Mr. Starkey stated schools can go in residential areas. The only thing that would stop a school is a safety problem that can be proven. The Transportation Management Plan allows for 4 lanes. This is for a division on a lot to divide into 2 lots. He stated he asked the Rosenberg Engineering Company if he could show the public what the intent is for the Minor Subdivision. George Washington Academy started out as trailers.

Commissioner Shepherd asked if they approve this are the options limited later.

Mr. Ellerman stated this falls under schools and they aren't limited under the State of Utah.

Mr. Starkey stated the Commissioners are just recommending and would have to give substantial reason for denying this.

Commissioner Schofield stated this is disingenuous to the Commissioners and Council because the State Legislator dictates where schools can go not us. Do they have to come before them again for approval?

Mr. Ellerman stated no. This would benefit the people in the area and State allows schools to go where they go.

Commissioner Schofield asked if there are any other areas proposed for a school in Green Springs area.

Mr. Ellerman stated in SITLA property but they probably won't put it there.

Commissioner Smith stated as far as splitting the lot this makes sense as the topography aspect.

Commissioner Shepherd asked about other access.

Mr. Ellerman stated ever since he has been here this parcel has been for sale and access has been an issue. There is a plan that will be discussed that will show another access.

Commissioner Schofield asked if in 2006 if a developer came in to build 6 homes in a cul-de-sac and they lost the property the applicant wouldn't have to come to the city to see this.

Mr. Ellerman stated that is correct. Horizon Elementary is an example of a school coming in without the cities input.

Commissioner Schofield stated his concern is that when a substation, church or school comes in that area that the property owners have notice of that. That is why he asked Mr. Davis prior to buying his home if he would have known of a school would he have bought his home. Another concern is the traffic and safety for people with the increase of traffic. He likes the design but doesn't think this is a good location.

Commissioner Shepherd stated that she has listened to all of the arguments. She is not concerned with the safety of the kids walking to school. The school would do what they could to mitigate any problems with that safety issue. She is concerned with vehicles idling and the rotation of traffic during drop off and pick up. She is also concerned that 47 parking places may not be enough spaces to fit all of the employees and the additional amount of parent volunteers. She believes lighting at night would be minimal and is not a big issue. The noise will be an issue as is typical of schools. Her main issue is with the traffic.

Commissioner Williams stated his concern is traffic and if there is too much traffic he would probably take Quail Ridge just to get there quicker. He stated the views would be blocked with a building that big and suggested there is a better location.

**Commissioner Papa motioned to recommend approval to City Council with the findings and conditions of staff.**

**Commissioner Smith seconded the motion.**

**Roll Call:**

**Commissioner Papa Aye.**

**Commissioner Smith Aye.**

**Commissioner Shepherd Nay.**

**Commissioner Williams Nay.**

**Commissioner Schofield Nay.**

**Motion dies with a 3-2 vote.**

**Commissioner Schofield explained denial that traffic is a safety issue and the location.**

**Roll call:**

**Commissioner Shepherd motioned to deny approval to City Council based on traffic and original intent of the area.**

**Commissioner Papa Nay.**

**Commissioner Smith Nay.**

**Commissioner Shepherd Aye.**

**Commissioner Williams Aye.**

**Commissioner Schofield Aye.**

**Vote for denial 3-2.**

## **8. PLANNED COMMUNITY DEVELOPMENT PLAN REVIEW**

- A. Review the Green Springs Henry Walker Homes Planned Community Development Schematic Plan. Applicant: Henry Walker Homes, Ben Willits**

### **Background**

Drew Ellerman stated the applicant is requesting “preliminary comments” on the Schematic Plan for a propose PCD (Planned Community Development) project located at the northwest corner of Main Street and Buena Vista Blvd.. The project is proposing 198.1 acres of residential, commercial, and public use(s). The target market will be the 55 and older group of citizens.

An assisted living business will be part of the project along with townhomes and detached single family residential units. A large community center for the development will also be built along with a medical clinic and church site. A large area of native open space will round out the remaining area of the site.

This agenda item is a necessary step in the applicants process towards approval. This is an opportunity for the planning commission to give input at this beginning stage of the project to allow the developer to have an idea if the project will be acceptable to the city planning commissioners. Also, a time to ask pertinent questions and give advice for the applicant to take back in their planning and design process.

Motions are not necessary at this point, it is just an opportunity for review so the applicant has a good idea of what will be acceptable to the commission in proceeding forward in the design of the PCD. After this review and discussion, they will move forward in the application process through a much more detailed design and work on project design guidelines and development agreements.

See attached Plan.

Commissioner Williams asked why so much land to use for 55 and older.

Kyle Pasley stated the market makes this a good option. The mile 13 and Coral Canyon offers the other types of housing. Commercial on mile post 13 and 16 needs to move houses and there is a need for the adult living. This is a good area to provide for this type of community. They partner with Sun River and there is a need for this. Sienna Hills provides for multi family. There will also be some projects coming forward in Coral Canyon.

Commissioner Schofield asked if Henry Walker Homes has talked to the property owner Mr. Jensen regarding the purchasing the other 10 acres that was spoken about in the previous agenda item regarding the Montessori school, that would allow them to build 6 plus houses on that property.

Ben Lewis stated a about a month ago Mr. Jensen talked to them but then the Montessori School came in.

Commissioner Schofield stated that exit 10 is already congested.

Mr. Lewis stated it is difficult to determine where people will travel. With 55 and older the traffic is a lot less according to the studies they have done. The build out will be 8 to 10 years with the starting time of next fall. The design will be Prairie style type homes. There will be a clubhouse community center.

Mr. Pasley stated there proposed General Plan to the city was that this would be an overlay zone for this type of use.

Commissioner Schofield asked if Henry Walker would be selling the units.

Mr. Lewis stated there will a separate HOA with a permanent property management to market and sell.

## 9. DISCUSSION ITEMS

### A. Discussion of General Information.

No further discussion.

Commissioner Williams motioned to adjourn the Planning Commissioner meeting.  
Commissioner Shepherd seconded the motion.  
Motion passed unanimously.  
Meeting adjourned: 8:50 PM

Washington City

Signed by:   
Rick Schofield, Chairman

Attested to:   
Kathy Spring, Zoning Technician